

1 Changes to short stay working visas

- 1.1 From 23 March 2013 a new business visitor visa called the Temporary Work (Short Stay Activity) visa (subclass 400) will be introduced.
- 1.2 The new visa is part of a push by the Federal Government to reduce red tape, standardise application requirements and streamline the immigration system by reducing the number of different visas.
- 1.3 This visa will replace the following visas:
 - (a) Business (Short Stay) visa (subclass 456)
 - (b) Sponsored Business Visitor (Short Stay) visa (subclass 459)
 - (c) Electronic Travel Authority (Business Entrant—Short Validity) (subclass 977)
 - (d) Electronic Travel Authority (Business Entrant—Long Validity) (subclass 956)
 - (e) eVisitor visa (subclass 651).
- 1.4 If a person already holds one of these classes of visa, it will still be valid until its existing expiry date.

2 What it does

- 2.1 The Temporary Work (Short Stay Activity) visa (subclass 400) is a temporary visa which allows the holder to enter Australia to:
 - (a) do short-term, highly specialised, non-ongoing work; or
 - (b) participate in an event or events on a non-ongoing basis at the invitation of an Australian organisation.
- 2.2 The visa usually allows the holder to stay in Australia for up to six weeks (or up to 3 months in some cases). The holder can apply to bring their family with them on the visa.

3 Application requirements

- 3.1 If you apply for the visa you are required to show that:
 - (a) the work you want to do or your participation in the event is short term and non-ongoing (usually less than six weeks);
 - (b) you need to be in Australia to do the work or participate in the activity;
 - (c) you have personal attributes or an employment background relevant to the work or activity;
 - (d) you have enough money to support yourself and your accompanying family members while you are in Australia;
 - (e) you have the support of the organisation for which you will be working or which invited you to Australia;
 - (f) you meet health and character requirements;
 - (g) You have no outstanding debts to the Australian Government.



4 Limitations

4.1 This visa has several limitations:

- (a) the work or activity must be non-ongoing (finish in three months or less);
- (b) the applicant cannot usually work in the entertainment industry;
- (c) the work or activity cannot have an adverse impact on the employment, training opportunities or conditions of employment in Australia;
- (d) the applicant cannot usually study whilst in Australia on this visa;
- (e) the applicant will not be covered by Australia's national health care scheme whilst in Australia under this visa;
- (f) this visa is not intended for business people attending a conference or taking part in meetings or business negotiations.

5 Highly Specialised Work

5.1 A person can apply for this visa to do short-term, highly specialised, non-ongoing work in Australia if they have specialised skills, knowledge or experience that both:

- (a) can assist Australian business;
- (b) cannot reasonably be found in the Australian labour market.

5.2 Highly specialised work is usually work that either:

- (a) is done by people with an occupation listed in Major Groups 1, 2 or 3 of the Australian and New Zealand Standard Classification of Occupations (ANZSCO); or
- (b) needs skills and knowledge that are specific to an international company, such as installing imported equipment, after-sales service or emergency repairs.

Lodging application

Please contact Jillian Howard on +61 8 9429 7425 or Andrew Burnett (Registered Migration Agent MARN 1174849) on +61 8 9429 7414 with any questions or for more information about lodging an application for a Temporary Work (Short Stay Activity) visa.

The contents of this update are not intended to serve as legal advice related to individual situations or as legal opinions concerning such situations nor should they be considered a substitute for taking legal advice.

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